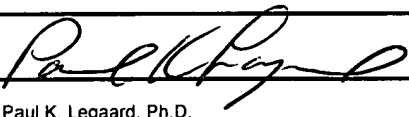
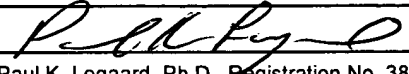


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

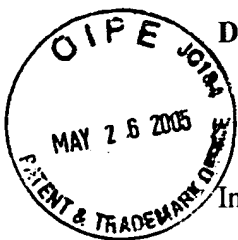
<b>TRANSMITTAL FORM</b> MAY 26 2005 U.S. PATENT & TRADEMARK OFFICE (to be used for all correspondence after initial filing)	Application Number	10/516,795
	Filing Date	Herewith
	First Named Inventor	Susan M. Freier
	Art Unit	To Be Determined
	Examiner Name	To Be Determined
Total Number of Pages in This Submission	Attorney Docket Number	ISIS0046-101 (RTS-0395USA)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Forms PTO SB/08a and PTO SB/08b (4 pp.); (25) References Cited.
<b>Remarks</b>  		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Cozen O'Connor		
Signature			
Printed Name	Paul K. Legaard, Ph.D.		
Date	24 MAY 2005	Reg. No.	38,534

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Paul K. Legaard, Ph.D., Registration No. 38,534	Date	24 MAY 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



DOCKET NO: ISIS0046-101 (RTS-0395USA)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Susan M. Freier et al.

Serial No.: 10/516,795

Group Art Unit: To Be Determined

Filing Date: Herewith

Examiner: To Be Determined

For: Antisense Modulation of Sterol Regulatory Element-Binding Protein-1 Expression

I certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450.

On 24 MAY 2005

  
Paul K. Legaard, Ph.D., Registration No. 38,534

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☒ before the mailing date of a first Office Action on the merits.

- ☐ before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under § 1.114.
  - ☐ after the mailing date of a first Office Action on the merits or after the filing of a Request for Continued Examination under § 1.114, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
    - ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- or
- ☐ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
  - ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with the ☐ first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), and the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p).
- ☐ Copies of references \_\_\_\_\_ listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are enclosed.

**EXCEPT THAT:**

- ☐ In view of the voluminous nature of references, and the likelihood that these reference are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) 10/161,966 for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

**Statement under 37 C.F.R. § 1.97(e)**

- ☐ The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 C.F.R. § 1.704(d)**

- ☐ The undersigned attorney hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement.

**Fees**

- ☒ No Fee is owed by the applicant(s).
- ☐ The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.
- ☐ The Petition Fee of \$130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.

**Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$\_\_\_\_\_. This form is submitted in duplicate.
- ☐ Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

Respectfully submitted,



Paul K. Legaard, Ph.D.  
Registration No. 38,534

Dated: 24 May 2005

COZEN O'CONNOR, P.C.  
1900 Market Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103-3508  
(215) 665-2000 – Telephone  
(215) 665-2013 - Facsimile



SHEET 1 of 4

<b>Form PTO-1449 Modified</b>		Docket No. ISIS0046-101 (RTS-0395USA)	Serial No. 10/516,795
List of Patents and Publications Cited by Application (Use several sheets if necessary)		Applicant Susan M. Freier et al.	
		Filing Date herewith	Group To Be Determined
U.S. Department of Commerce Patent and Trademark Office			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	AA	Azzout-Marniche et al., <i>Insulin effects on sterol regulatory-element-binding protein-1c (SREBP-1c) transcriptional activity in rat hepatocytes</i> , <i>Biochem. J.</i> , <b>2000</b> , 350 Pt 2:389-393.	
	AB	Bist et al., <i>Two sterol regulatory element-like sequences mediate up-regulation of caveolin gene transcription in response to low density lipoprotein free cholesterol</i> , <i>Proc. Natl. Acad. Sci. U. S. A.</i> , <b>1997</b> , 94:10693-10698.	
	AC	Clarke, <i>Polyunsaturated fatty acid regulation of gene transcription: a molecular mechanism to improve the metabolic syndrome</i> , <i>J. Nutr.</i> , <b>2001</b> , 131:1129-1132.	
	AD	Ferre et al., <i>Sterol-regulatory-element-binding protein 1c mediates insulin action on hepatic gene expression</i> , <i>Biochem. Soc. Trans.</i> , <b>2001</b> , 29:547-552.	
	AE	Nerurkar et al., <i>Sterol regulatory element-binding proteins and reactive oxygen species: potential role in highly-active antiretroviral therapy (HAART)-associated lipodystrophy</i> , <i>Clin. Biochem.</i> , <b>2001</b> , 34:519-529.	
	AF	Nguyen et al., <i>Ritonavir increases the level of active ADD-1/SREBP-1 protein during adipogenesis</i> , <i>AIDS</i> , <b>2000</b> , 14:2467-2473.	
	AG	Repa et al., <i>Regulation of mouse sterol regulatory element-binding protein-1c gene (SREBP-1c) by oxysterol receptors, LXRA and LXRbeta</i> , <i>Genes Dev.</i> , <b>2000</b> , 14:2819-2830.	
	AH	Sakai et al., <i>The sterol regulatory element-binding protein pathway: control of lipid homeostasis through regulated intracellular transport</i> , <i>Curr. Opin. Lipidol.</i> , <b>2001</b> , 12:261-266.	
	AI	Shimano, <i>Sterol regulatory element-binding proteins (SREBPs): transcriptional regulators of lipid synthetic genes</i> , <i>Prog. Lipid Res.</i> , <b>2001</b> , 40:439-452.	
	AJ	Shimomura et al., <i>Cholesterol feeding reduces nuclear forms of sterol regulatory element binding proteins in hamster liver</i> , <i>Proc. Natl. Acad. Sci. U. S. A.</i> , <b>1997</b> , 94:12354-12359.	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

<b>Form PTO-1449 Modified</b>		Docket No. ISIS0046-101 (RTS-0395USA)	Serial No. 10/516,795
List of Patents and Publications Cited by Application (Use several sheets if necessary)		Applicant Susan M. Freier et al.	
		Filing Date herewith	Group To Be Determined
U.S. Department of Commerce Patent and Trademark Office			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	AK	Shimomura et al., <i>Insulin resistance and diabetes mellitus in transgenic mice expressing nuclear SREBP-1c in adipose tissue: model for congenital generalized lipodystrophy</i> , <i>Genes Dev.</i> , <b>1998</b> , 12:3182-3194.	
	AL	Shimomura et al., <i>Decreased IRS-2 and increased SREBP-1c lead to mixed insulin resistance and sensitivity in livers of lipodystrophic and ob/ob mice</i> , <i>Mol. Cell</i> , <b>2000</b> , 6:77-86.	
	AM	Streicher et al., <i>Regulation of the LDL receptor gene expression by hormones</i> , <i>Z Ernahrungswiss</i> , <b>1998</b> , 37:85-87.	
	AN	Streicher et al., <i>SREBP-1 mediates activation of the low density lipoprotein receptor promoter by insulin and insulin-like growth factor-I</i> , <i>J. Biol. Chem.</i> , <b>1996</b> , 271:7128-7133.	
	AO	Swinnen et al., <i>Stimulation of tumor-associated fatty acid synthase expression by growth factor activation of the sterol regulatory element-binding protein pathway</i> , <i>Oncogene</i> , <b>2000</b> , 19:5173-5181.	
	AP	Yokoyama et al., <i>SREBP-1, a basic-helix-loop-helix-leucine zipper protein that controls transcription of the low density lipoprotein receptor gene</i> , <i>Cell</i> , <b>1993</b> , 75:187-197.	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

3

of

4

**Complete if Known**

Application Number	10/516,795
Filing Date	Herewith
First Named Inventor	Susan M. Freier
Art Unit	To Be Determined
Examiner Name	To Be Determined
Attorney Docket Number	ISIS0046-101 (RTS-0395USA)

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	AQ	US-5,527,690	06-18-1996	Goldstein et al.	
	AR	US-5,877,309	03-02-1999	McKay et al.	
	AS	US-20020048572	04-25-2002	Shan et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date/Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 4 of 4

## Complete if Known

Application Number	10/516,795
Filing Date	Herewith
First Named Inventor	Susan M. Freier
Art Unit	To Be Determined
Examiner Name	To Be Determined
Attorney Docket Number	ISIS0046-101 (RTS-0395USA)

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AT	Agrawal et al., "Antisense therapeutics: is it as simple as complementary base recognition," <i>Molecular Med. Today</i> (2000) 6:72-81.	
	AU	Branch et al., "A good antisense molecule is hard to find," <i>Trends in Biochem Sci</i> (1998) 23:45-50.	
	AV	Chirilla et al., "The use of synthetic polymers for delivery of therapeutic antisense oligodeoxynucleotides," <i>Biomaterials</i> (2002) 23:321-342.	
	AW	Crooke et al., <i>Antisense Research and Application</i> (1999) pp. 1-50 (S. Crooke ed.) Springer-Verlag.	
	AX	Milner et al., "Selecting effective antisense reagents on combinatorial oligonucleotide arrays," <i>Nature Biotechnol.</i> (1997) 15:537-541.	
	AY	Peracchi et al., "Prospects for antiviral ribozymes and deoxyribozymes," <i>Rev. Med. Virol.</i> (2004) 14:47-64.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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